

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JACK J. NELSON,)	
)	
Plaintiff,)	8:04CV596
)	
v.)	
)	
TIMOTHY DUNNING, ROBERT)	ORDER
HOUSTON, and DOUGLAS, COUNTY)	
OF NEBRASKA,)	
)	
Defendants.)	
_____)	

The plaintiff has moved for leave to file a supplemental brief in opposition to the defendants' motion for summary judgment. Filing 129. He claims supplemental briefing is appropriate because the United States Supreme Court's recent decision in Burlington Northern & Santa Fe Railway Co. v. White, No. 05-529, 2006 WL 1698953 (June 22, 2006), "is extremely relevant and favorable to the Plaintiff's case, particularly with regard to his retaliation claim." Filing 130, p. 2. The court finds that the motion should be granted.

IT THEREFORE HEREBY IS ORDERED:

1. The plaintiff's motion for leave to file a supplemental brief in opposition to the defendants' motion for summary judgment, filing 129, is granted.
2. The plaintiff's supplemental brief in opposition to the defendants' motion for summary judgment shall be filed on or before July 10, 2006. The scope of this supplemental brief shall be limited to matters addressed or affected by Burlington Northern & Santa Fe Railway Co. v. White, No. 05-529, 2006 WL 1698953 (June 22, 2006).

3. The defendants are given until July 20, 2006 to respond the issues and arguments raised in plaintiff's supplemental brief.

DATED this 29th day of June, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge